

**TERMINAL DISCLAIMER TO OBLIVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

 Docket Number (Optional)
P-5319

In re Application of: Sullivan

Application No.: 09/879,517

Filed: June 12, 2001

For: Medicament Respiratory Delivery Device, Cartridge, and Method of Making same

The owner*, Becton, Dickinson and Company, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,644,309. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. The undersigned is an attorney or agent of record.

9-28-2004

Signature

Date

Robert E. West, Reg. No. 48,030

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Telephone Number

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